

Message

From: Lyles, Kat [Kat.Lyles@meritenergy.com]
Sent: 11/8/2022 2:20:08 PM
To: Chin, Lucita [Chin.Lucita@epa.gov]; Minter, Douglas [Minter.Douglas@epa.gov]; Brown, Chris [Brown.Christopher.T@epa.gov]
CC: Wiser, Nathan [Wiser.Nathan@epa.gov]; Hagge, Chris [Chris.Hagge@meritenergy.com]; Brister, Chad [Chad.Brister@meritenergy.com]
Subject: RE: Merit UIC Permits

No worries at all. Thank you for getting back to us with your availability. Let's plan on November 15th at 10 MT. I'm happy to circulate a Teams invite.

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Monday, November 7, 2022 5:25 PM
To: Lyles, Kat <Kat.Lyles@meritenergy.com>; Minter, Douglas <Minter.Douglas@epa.gov>; Brown, Christopher <Brown.Christopher.T@epa.gov>
Cc: Wiser, Nathan <Wiser.Nathan@epa.gov>; Hagge, Chris <Chris.Hagge@meritenergy.com>; Brister, Chad <Chad.Brister@meritenergy.com>
Subject: RE: Merit UIC Permits

EXTERNAL EMAIL

My apologies – I of course mean November 15th and 16th.

Lucita Chin
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202
Office: (303) 312-7832

From: Chin, Lucita
Sent: Monday, November 7, 2022 4:23 PM
To: Lyles, Kat <Kat.Lyles@meritenergy.com>; Minter, Douglas <Minter.Douglas@epa.gov>; Brown, Christopher <Brown.Christopher.T@epa.gov>
Cc: Wiser, Nathan <Wiser.Nathan@epa.gov>; Hagge, Chris <Chris.Hagge@meritenergy.com>; Brister, Chad <Chad.Brister@meritenergy.com>
Subject: RE: Merit UIC Permits

Unfortunately, this week will not work for us. Possible times next week are: December 15th Tuesday 10am MT; December 16th Wednesday 9:30 or 11:30MT (both spots only for 30 minutes). Let me know if any of those times would work for you.

Lucita Chin
Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202
Office: (303) 312-7832

From: Lyles, Kat <Kat.Lyles@meritenergy.com>
Sent: Monday, November 7, 2022 3:56 PM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; Brown, Christopher <Brown.Christopher.T@epa.gov>

Cc: Wiser, Nathan <Wiser.Nathan@epa.gov>; Hagge, Chris <Chris.Hagge@meritenergy.com>; Brister, Chad <Chad.Brister@meritenergy.com>

Subject: RE: Merit UIC Permits

Thank you, Lucita. Would it be possible to go ahead and get something on the calendar for Thursday or Friday afternoon?

From: Chin, Lucita <Chin.Lucita@epa.gov>

Sent: Monday, November 7, 2022 3:46 PM

To: Lyles, Kat <Kat.Lyles@meritenergy.com>; Minter, Douglas <Minter.Douglas@epa.gov>; Brown, Christopher <Brown.Christopher.T@epa.gov>

Cc: Wiser, Nathan <Wiser.Nathan@epa.gov>; Hagge, Chris <Chris.Hagge@meritenergy.com>; Brister, Chad <Chad.Brister@meritenergy.com>

Subject: RE: Merit UIC Permits

EXTERNAL EMAIL

Thank you for your email. We are reviewing the ordinance and will reach out to you soon.

Thank you,
Lucita

Lucita Chin

Senior Assistant Regional Counsel | Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8 | 1595 Wynkoop St. | Mail Code: 8ORC-LC-M | Denver, CO 80202
Office: (303) 312-7832

From: Lyles, Kat <Kat.Lyles@meritenergy.com>

Sent: Wednesday, November 2, 2022 3:57 PM

To: Minter, Douglas <Minter.Douglas@epa.gov>; Brown, Christopher <Brown.Christopher.T@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>

Cc: Wiser, Nathan <Wiser.Nathan@epa.gov>; Hagge, Chris <Chris.Hagge@meritenergy.com>; Brister, Chad <Chad.Brister@meritenergy.com>

Subject: Merit UIC Permits

Douglas, Chris and Lucita,

Upon the advice of Nathan Wiser, I am reaching out to request guidance regarding Merit's compliance with the EPA permitting of its UIC wells on the Steamboat Butte lease due to a recent Tribal ordinance. I have attached a copy of the ordinance for your reference. Merit believes that the ordinance conflicts with EPA regulations. Specifically, the ordinance provides that the Tribes are not required to elect which wells they intend to assume until 90 days after the date the Tribes claim the Steamboat Butte lease expires (December 31, 2022). The ordinance further prohibits Merit from shutting-in any wells prior to vacating the premises which could potentially have an environmental impact on the lease premises and surrounding tribal land. Merit would be required to leave the wells active without any ability or right to monitor them. The conflict exists because Merit is now in a position where the tribal ordinance precludes its ability to comply with the EPA requirements under its permit. Accordingly, we would like to schedule a call with you at your earliest convenience.

Best Regards,

Kat



Kat Lyles
Merit Energy Company
Assistant General Counsel
13727 Noel Road, Suite 1200
Tower 2
Dallas, Texas 75240
972-628-1079 · 972-628-1379 (fax)